

Dáire Littleton Caden

From: Laura Crowe <laurac@tpa.ie>
Sent: Dé Luain 8 Meitheamh 2026 16:44
To: Appeals2
Subject: ACP Ref. 324015-25 - Response to Third Party Observation
Attachments: ACP Ref. 324015-25 - Response to Third Party Observation.pdf

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Dear Sir/Madam,

Please find attached a Response to Third Party Observation in respect of Application ACP Reg. Ref. 324015-25.

The Applicant, Milford Quarries Limited, was invited by An Coimisiún Pleanála by letter dated 19th May 2026 to respond to Third Party Observations lodged in respect of this Application.

I trust the above and attached are in order. Please do not hesitate to contact me should you have any queries.

I would be grateful if you could provide written acknowledgement that this Response has been received.

Le gach dea-ghuá

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An Coimisiún Pleanála
64 Marlborough Street
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Monday, 8th June 2026
[Submitted via email: appeals@pleanala.ie]

Dear Sir/Madam,

RE: RESPONSE TO THIRD PARTY SUBMISSION RECEIVED IN RESPECT OF SECTION 37L APPLICATION FOR QUARRYING AND ASSOCIATED DEVELOPMENT AT CLOGRENNANE, BILBOA, CO. CARLOW.

ACP REG. REF. 324015-25

1.0 INTRODUCTION

Tom Phillips + Associates¹ have been retained by Milford Quarries Limited² to prepare this response to the Observations lodged in respect of Application ACP Reg. Ref. 324015-25, a Section 37L Application for quarrying and associated development at Clogrennane, Bilboa, Co. Carlow.

The Applicant was invited by An Coimisiún Pleanála to respond to any Observations lodged via a letter dated 19th May 2026.

We note that only one Observation was lodged in respect of this Application, from George Doyle, dated 2nd February 2026. Mr. Doyle also submitted a further 'Response' on 17th April 2026. In the interest of completeness, this letter will respond to both the Observation and Response submitted by Mr. Doyle, despite the fact we consider him to be a vexatious Objector, as will be detailed in Section 1.2 below.

1.1 Concurrent Application

The subject Section 37L Application was lodged alongside a concurrent Section 177E Application for Substitute at the subject site (ACP Reg. Ref. 324014-25). The Applicant has also been invited by An Coimisiún Pleanála to respond to the Observations lodged in respect of the Section 177E Application. Both of these Applications received the same Observation from Mr. Doyle, the only Observer, however, in the interest of clarity, the Observation lodged in respect of the Section 177E Application will be dealt with under separate cover.

¹ 80 Harcourt Street, Dublin 2, D02 F449.

² Kilcarrig, Bagenalstown, Co. Carlow.

1.2 Frivolous and Vexatious

From the outset, we highlight that the sole Observer of the subject Application, George Doyle, has a demonstrated history of lodging Observations and Appeals against Applications lodged by our Client for over 30 years, irrespective of the nature of the proposed development and location of the site for which development is proposed.

We note that the Appellant has heavily criticised the Applicant and their current operations, both at the subject site and their other sites, in a variety of ways, some of which are almost defamatory in their language, implying that compliance with the terms of permissions received are not and will not be adhered to.

Mr. Doyle has himself stated on numerous occasions about the “many many” complaints he has made to the Carlow County Council Planning Enforcement Section in respect of any and all development and works carried out by our Clients.

Tom Phillips + Associates have carried out an assessment of all Planning Applications lodged by Milford Quarries and Kilcarrig Quarries, identifying all submissions and Appeals lodged by George Doyle. These are provided in the table below.

Our assessment has identified at least 21 No. Objections and 7 No. Appeals which have been lodged by the Appellant in respect of development by our Client. We also note that a number of these Applications are currently live and we anticipate further Objections and Appeals on these live Applications.

We highlight that these observations and Appeals relate to 8 no. sites, located across Carlow County.

Site Location	Reg. Ref.	No. Observations lodged by Appellant	Appealed by Appellant?
Ballymoon	Unavailable	Unavailable	Yes (ACP Reg. Ref. RF0904)
Kilcarrig	97/209	Unavailable	Yes (ACP Reg. Ref. PL01.130045)
Kilcarrig	07/354	1	No
Milford	07/554	1	Yes (ACP Reg. Ref. 225469)
Milford	07/556	1	Yes (ACP Reg. Ref. 225913)
Kilcarrig	07/835	1	No – But made Observation on First Party Appeal
Milford	07 / 259	1	No
Ballymoon	08/555	1	No
Milford	14/67	1	No
Old Leighlin	23/60042	4	Yes (ACP Reg. Ref. 319198-24)
Mary Kelly's Pit	23/60263	3	Yes (ACP Reg. Ref. 320180-24)



Coolnapish	25/60068	2	N/A – Live Application Awaiting Decision
Killinane	25/60365	1	N/A – Within Appeal Period following Decision to Grant Permission
Redrock (S177E)	ACP-324014	2 (so far)	N/A – S177E Application
Redrock (S37L)	ACP-324015	2 (so far)	N/A – S37L Application
Milford (Subject Application)	25/60436	2	Yes

We highlight that for the majority of these Applications the Appellant was the only Observer. Our assessment provided above is limited to the data available on the Carlow County Council and An Coimisiún Pleanála websites, which only go back to the mid-90s.

We further highlight the geographical distribution of the subject sites for which these Objections and Appeals relate and varied nature of the Applications, which we contend shows that the Appellant will Object to and Appeal any Application our Client submits, irrespective of what the Application entails.

Further to the Objections and Appeals as documented above, the Appellant regularly submits representations of alleged unauthorised development in relation to the Applicant's lands. The Observer makes reference in his recent Appeal against Application ACP Reg. Ref. PL-500902-CW-26 (Carlow CC Reg. Ref. 25/60436) to the "many many times" he has made representations to the Council about that site alone.

We contend that the Appellant is abusing the Planning process through the submissions of Objections and Appeals, with the sole intention to delay or frustrate the business operation of our Client.

The frivolous and vexatious nature of the Objections and Appeals lodge by Mr. Doyle in respect of our Client's Applications has previously been brought to the attention of An Coimisiún Pleanála.

We request that An Coimisiún Pleanála have regard to the frivolous and vexatious nature of these Objections in their Assessment of the subject Application.



2.0 RESPONSE TO ISSUES RAISED IN OBSERVATIONS

2.1 Claims of Non-Compliance by Applicant

A large portion of the subject Observation relates to claims that the Applicant has been non-compliant with Planning and Waste Permit Conditions attached to other quarries in their ownership.

From the outset, we contend that the claims regarding unauthorised development and non-compliance are completely unfounded. No proof is provided to back up their claims of unauthorised development, instead providing blunt claims.

In the interest of clarity, we highlight that any previous quarrying works at the subject site were conducted prior to the site being purchased by Milford Quarries. The previous site owners registered the quarry under the Section 261 mechanism in 2007, with Conditions applied, with the Local Authority accepting the quarry as having pre-63 origins. Additionally, a discharge licence for the site was granted in 2011. The Applicant's position is that the previous owner of the site was operating under the understanding that the quarry was successfully registered and was not aware of non-compliance with the EIA or Habitats Directives.

The Applicant has the utmost regard for the Planning System, as is evidenced by their planning history, striving to ensure that all of their sites and operations are planning compliant.

Notwithstanding the fact that we contend that these claims of unauthorised development are unfounded, we highlight that it is not within the remit of An Coimisiún Pleanála to adjudicate on enforcement matters and do not constitute a material planning consideration for the subject Application. Any claims of unauthorised development or non-compliance should be dealt with under the proper channels. Further to this, we highlight that their claims of unauthorised development and non-compliance solely relate to sites which are geographically and operationally separate from the subject site and therefore do not form part of the development under consideration.

These matters of purported non-compliance should therefore be disregarded by An Coimisiún Pleanála in their assessment of the subject Application.

2.2 Water Management

The Observation raises a number of concerns in relation to water management, surface water drainage, and impact on local wells, which Michael Gill from Hydro Environmental Services has dealt with in his accompanying response.



2.2.1 Raheendoran Stream

The Observation states the following in relation to the Raheendoran Stream:

“EPA mapping suggests a stream – identified as Raheendoran Stream – flows through the site before ultimately discharging into the River Barrow. This stream seems to have been destroyed by quarrying activities on above site, as walkover surveys and drainage mapping indicate no watercourses cross the existing quarry void.”

Chapter 8 of the EIAR submitted as part of the Section 177E Application outlined to hydrological impact of the historic quarrying operation on site. This Chapter acknowledged that the historic development onsite had resulted in some alteration to local drainage patterns, namely to the Raheendoran Stream. Chapter 8 outlined the following impact of this development as follows:

“The residual effect on surface water quality within the Raheendoran Stream was a negative, indirect, moderate, short-term, likely effect on downstream surface water quality in the Raheendoran Stream.”

We highlight that any erasure of the Raheendoran stream would have happened prior to the Applicant’s ownership of the subject site and that neither the Applicant, nor any party related to the Applicant, had any involved with the operation of the subject site prior to their purchasing of the lands.

We highlight that the proposed Application includes a restoration plan, which seeks to redirect water back into the Raheendoran Stream, which will have an overall positive impact:

*“The restoration will have a **positive effect** in terms of returning the site back to scrubland, the inclusion of a wildlife pond and **redirecting water back into the Raheendoran Stream**. Water will be redirected back into the stream through a diversion channel from the existing settlement pond to the stream, upstream of the proposed wildlife pond. The settlement pond and wildlife pond will provide attenuation of water during this phase.” [Our Emphasis.]*

Please refer to the EIARs submitted as part of both Applications for further details regarding the Raheendoran Stream.

2.2.2 Existing Water Management System

The Observation raises a number of concerns regarding the existing water management system, as follows:

“Applicant states that water gathers in the floor of existing quarry and drains out from an existing pond in the north of the quarry, from here discharge flows to southeast along the existing quarry access road.

Water would have to flow up-hill to discharge on-to existing quarry access road. More than likely water from quarry floor drains directly into ground-water putting local wells at serious risk of contamination.”



"Applicant states there is no existing discharge from the quarry within the River Nore catchment. But there is no doubt there is existing discharge of water from quarry floor directly into groundwater within the River Nore catchment."

Hydro Environmental Services has prepared the following response in relation to the existing Water Management System:

"The observation suggests that water is being discharged to ground at Red Rock and that discharge to surface waters cannot occur due to local topography. The submitted statements represent a clear misunderstanding of the local hydrological regime."

The existing site drainage regime has been comprehensively described in Section 8.3.3.2 of the submitted EIAR and presented graphically in EIAR Figure 8-3. The drainage regime has been characterised based on detailed site walkover surveys and drainage mapping completed by HES alongside site investigations which included the drilling of 5 no. boreholes.

The existing drainage regime is summarised as follows:

- *Rainwater falling within the quarry void is directed to 2 no. large, flooded areas on the floor of the quarry;*
- *Surface water runoff from areas upgradient (to the west) of the quarry also enters the existing void and gathers on the floor of the quarry;*
- *There are 2 no. outfalls from the existing quarry floor, with water exiting the quarry void through 2 no. narrow, deeply incised gullies (shown on EIAR Figure 8-3);*
- *The outfall from the flooded area in the centre of the site discharges into a large settlement pond in the east of the overall landholding;*
- *The outfall from the flooded area in the north of the site flows through a gully and enters a small roadside drain which is located along an existing access track;*
- *These outfalls combine and flow to the east before discharging into the Mortarstown Stream, a tributary of the Fushoge River which in turn discharges into the River Barrow.*

*The observation also states that there may be discharge within the catchment to the River Nore. The EIAR states that whilst a small area of the site is mapped in the catchment to the River Nore, there is no surface water outfall within this catchment. **The only potential for water to enter the River Nore or any of its tributaries is via groundwater recharge, and lateral groundwater flow. However, the underlying bedrock at the site is classified as a Poor Aquifer –Bedrock which is Generally Unproductive.** This is consistent with the results from the site investigations which encountered shale, siltstone and sandstone with only very minor water strikes/seepages. The bedrock at the site is of low permeability and groundwater recharge is limited. This is supported by the presence of flooded areas on the floor of the quarry which would not have developed if any significant recharge was occurring at this site. Groundwater recharge within the site is observed to be very limited. Nevertheless,*

strict, tried and tested, best practice, mitigation measures have been prescribed in the EIAR for the protection of local groundwater quality."

We highlight that a discharge license has granted for the subject site 2011, which considered the existing water management system to be appropriate.

In the interest of clarity, we highlight that the proposed further quarry development under Section 37L similarly does not include any discharge to surface waters within the River Nore catchment. All surface water discharges from the site ultimately transfer to the River Barrow catchment. There are no direct surface water discharges to the River Nore catchment. There will be no discharge of untreated or unattenuated water associated with the Proposed Development. All water will be treated prior to discharge. Similar water management systems are successfully in operation at quarries across the country.

Please refer to the enclosed 'Response to Third Party Observations' prepared by Hydro Environmental Services for full details.

2.2.3 Impact on River Nore and River Barrow SAC

The Observation raises concern about what they describe as *"huge areas of exposed water"* and their impact on nearby SACs:

"Aerial photographs show huge areas of exposed water = [most likely ground-water]. Applicant states these huge areas of exposed water are only wet areas, and we all should not be concerned. But given sites hugely elevated position and its close proximity = 2.1km – to the River Barrow which has special European protection – SAC-002162 and all water including waste water from above site ends up in River Barrow. This should be a huge concern to all of us."

The existing water management system on site includes 2 no. large flooded areas on the floor of the quarry, as detailed in Chapter 8 of the EIARs submitted as part of both Applications. We understand these flooded areas to be the *"huge areas of exposed water"* the Observation refers to.

Hydro Environmental Services has provided the following response regarding hydrological impact on nearby SACs:

"The submitted EIAR presents a comprehensive impact assessment with respect to the potential effects on the River Barrow and River Nore SAC.

There will be no potential for significant effects for the following reasons:

- *Whilst the Proposed Development is hydrologically connected to the River Barrow and these designated sites, the Proposed Development is in excess of 2 km from the Barrow;*
- *The length of the hydrological flowpath between the Proposed Development Site and the SAC is >2.5 km;*
- *There is limited potential for effects due to the volume of water within the River Barrow in comparison to the proposed discharge volumes;*



- *However, the Proposed Development does not rely on the dilution or assimilative capacity of any downstream watercourse;*
- *Nevertheless, the Proposed Development will utilise a water management system designed to prevent contamination of local surface waters with hydrocarbons or suspended solids;*
- *The detailed, tried and tested, best practice mitigation measures presented in EIAR Section 8.6.1.2 (surface water flows), EIAR Section 8.6.1.3 (suspended solids), EIAR Section 8.6.1.4 (blasting), EIAR Section 8.6.1.6 (hydrocarbons) and EIAR Section 8.6.1.7 (wastewater), will ensure the protection of all watercourses in the immediate vicinity of the Proposed Development Site;*
- *By ensuring the protection of watercourses proximal to the site, the status of all downstream designated sites is also protected."*

Please refer to the enclosed 'Response to Third Party Observations' prepared by Hydro Environmental Services for full details.

2.2.4 Impact on Water from Rock Blasting

With regard to rock blasting, the Observation states the following:

"It is quite obvious that rock blasting at above site – if allowed – will seriously contaminate – surface-water – ground-water – local streams – and indeed the River Barrow where huge quantities of contaminated waste water from the above site will be discharged."

In response to this, Hydro Environmental Services has provided the following Response:

"A comprehensive impact assessment has been completed with respect to the potential for blasting to affect local groundwater and surface water quality. This assessment is presented in Section 8.5.2.4 of the EIAR and concludes that there will be no potential for significant effects for the following reasons:

- *Blasting has been previously completed at Red Rock Quarry as part of the historic bedrock extraction and that no significant effects associated with the historic blasting have been reported;*
- *The quarry will implement a site-specific protocol with respect to blasting which will operate in accordance with international best practice; and,*
- *The practices are tried and tested mitigation measures and are currently being implemented at quarry sites across the country."*

Please refer to the enclosed 'Response to Third Party Observations' prepared by Hydro Environmental Services for full details.

2.2.5 Impact on Groundwater Quality

The Observation raises concerns that the proposed development will negatively impact groundwater quality, as detailed in the extracts above.

In response to this, Hydro Environmental Services has provided the following commentary:

"There will be no potential for significant effects on local groundwater quality for the following reasons:

- The local hydrogeological regime at the site and in the local area is characterised by high rates of surface water runoff and low rates of groundwater recharge;*
- The bedrock underlying the site is classified as a Poor Aquifer which is Generally Unproductive and site investigations (borehole drilling) did not encounter any significant groundwater strikes;*
- Inspection of the existing quarry faces do not show any inflows of groundwater and significant inflows of groundwater would not be expected given the topographic setting of the site at the eastern edge of the Castlecomer Plateau. It is noted that extraction will only extend to a depth of 300mOD;*
- Therefore, based on the above and clearly stated in the submitted EIAR, surface water is the main sensitive receptor in terms of the water environment;*
- Nevertheless, tried and tested, best practice mitigation measures have been prescribed for the protection of local groundwater quality with respect to blasting (EIAR Section 8.6.1.4), oils and fuels/hydrocarbons (EIAR Section 8.6.1.6) and wastewater (EIAR Section 8.6.1.7)."*

Please refer to the enclosed 'Response to Third Party Observations' prepared by Hydro Environmental Services for full details.

2.2.6 Impact on Groundwater Well Supplies

The Observation raises concern about the potential for negative impact on nearby wells from the proposed development, as detailed in Section 2.2.2 above.

"Section 8.5.2.9 of the submitted EIAR included an assessment of the potential effects of the Proposed Development on local private groundwater well supplies. Every private dwelling in the local area was conservatively assumed to be supplied by a private groundwater well. The closest dwellings to the site were identified along local roads as follows: ~184m to the northeast of the existing quarry void, ~250m to the southeast, ~400m to the southwest and ~320m to the northwest of the proposed quarry extension area.

The impact assessment concluded that there would be no potential for effects on any local groundwater well supply for the following reasons:

- The separation distance between the Proposed Development Site and local well supplies;*
- The low permeability of the bedrock underlying the Proposed Development Site means that the majority of potential groundwater recharge is rejected;*
- No conduits for groundwater flow are present at the Proposed Development Site that could act as a pathway for potential contaminants;*



- *Groundwater flowpaths will be short with groundwater discharging into nearby surface watercourses;*
- *There will be no significant inflows of groundwater into the quarry void and the Proposed Development has very limited potential to alter groundwater recharge rates;*
- *Therefore, there will be no potential for the Proposed Development to impact groundwater levels or groundwater quantity in local well supplies;*
- *Nevertheless, detailed, tried and tested, best practice mitigation measures for the protection of groundwater quality are prescribed in EIAR Section 8.6.1.6 (hydrocarbons), EIAR Section 8.6.1.3 (suspended solids), EIAR Section 8.6.1.4 (blasting) and EIAR Section 8.6.1.7 (wastewater); and,*
- *These mitigation measures are used at similar bedrock quarries across the county and are proven to protect the hydrogeological environment."*

Please refer to the enclosed 'Response to Third Party Observations' prepared by Hydro Environmental Services for full details.

2.3 Rock Blasting and Chemical Use

The Observation states the following in respect of rock blasting:

"From my own research rock blasting in Irish quarries and construction projects commonly uses A.N.F.O – [Ammonium Nitrate/Fuel Oil] pumped emulsions and gelignite-based cartridges to break rock."

The proposed development, including the proposed rock blasting process, has been designed in consultation with Exsol Ltd, licensed blasting specialists, who will oversee any blasting campaigns at the subject site. Exsol has confirmed that they do not use gelignite products. They have also confirmed that they do not propose to use any ANFOs, or any other loose ammonium nitrate prills or fossil fuels as part of the blasting process at the subject site. Exsol has confirmed that any products they do use as part of their blasting processes will have a waterproof matrix, ensuring that it is not water soluble. This in turn will ensure that there will not be any run off of chemicals to any watercourses as a result of blasting and as a result, there will be no contamination of the water supply.

All blasts will be designed by a qualified experienced shotfirer/explosives supervisor supplied by the explosives manufacturer / supplier. All blasts will be designed to fire at the optimum velocity of detonation of the explosives in each shothole. This means that the efficiency rock fragmentation is achieved and that all traces of the explosives have detonated and that there are no traces of explosives remain in the blasted rock.

2.4 Crushing, Washing, and Processing

The Observation raises concern with the use of the word 'plant' and states that the Applicant should clarify what plant will be installed. Whilst we contend that the use of the term 'plant' is commonplace in Planning Applications, exact details of the proposed plant can be provided to An Coimisiún Pleanála upon request.



The Observation states the following in respect of the frequency of rock crushing:

"Applicant stats crushing will only take place every 6 weeks or so. This is false and misleading [sic.] as above stone quarry is all about crushing rock. And crushing replant most likely will have to operate full time every day, as to achieve the tonnage mentioned in Application."

The above claim from the Observation is based purely on speculation. The Applicant intends to crush rock on a campaign basis every 6-8 weeks, as was clearly outlined in the 'Planning Report' submitted as part of the Section 37L Application:

"The blasting frequency will align with the 6 – 8 week crushing campaigns i.e. a single day of blasting followed by 6 – 8 weeks of crushing and screening using mobile equipment and transportation offsite in articulated trucks."

We therefore contend there is no merit in their claims that the Applicant would be crushing rock every day.

With regard to washing plants, the Observation states the following:

"Milford Quarries does not clarify if a washing plant is going to be installed at above site."

We confirm there is no washing plant proposed as part of the subject Application.

2.5 Traffic and Transport

The Observation raises concerns about increased traffic movements resulting from the proposed development, as follows:

"If the above quarry gets the green light there will be at least 100 extra 25-30-ton lorrie movements on narrow local roads as motor-way is 5.5km from site."

"There will also be a huge increase in lorry movements from direct sales to the public. This will more than likely double traffic movements on narrow local roads."

"Also Applicants traffic numbers are minimum and with no monitoring or over-sight traffic movements will at least double."

An assessment of traffic and transport impact from the proposed development was provided in Chapter 13 of the EIARs submitted as part of both Applications. As detailed on page 12 of Chapter 13 of the Section 37L EIAR, it is anticipated that there will be 29 no. HGVs arriving at the site daily and 29 no. HGVs departing the site daily during the operational period. This provides a total estimates 58 no. HGV movements daily. This is in addition to the 6 no. estimated daily movements from LG staff vehicles. This provides an estimated total of 64 no. vehicular movements daily for the proposed development.

The Observations assertion that there will be *"at least 100 extra 25-30-ton lorrie movements"* is purely speculative and incorrect.

The EIAR included mitigation measures for the operational phase of the development in respect of traffic and transport, including the provision of new road markings and signage, adequate sightlines, and planned haulage routes. This Chapter determined that there would be only a marginal increase in LVs and HGVs on the adjoining road network due to the proposed development.

2.6 Noise and Dust

The Observation raises concerns relating to human health, particularly noise and dust.

Noise

The Observation states the following in respect of noise from rock blasting:

“Noise from rock blasting can be extreme and cause annoyance, nuisance, sleep disturbance and can also affect wildlife and residential properties.”

The proposed operational hours of the quarry operation will be 7:00-18:00 Monday to Friday and 7:00-13:00 on Saturday, in line with typical operational hours for quarries. No quarrying will occur during the nighttime, limiting potential for sleep disturbance.

Chapter 11 of the EIAR submitted as part of the Section 37L Application relates to noise and vibration impacts. A range of mitigation measures are outlined within this Chapter.

The likely construction noise impact is determined to be a negative, slight, short-term impact.

The likely operational noise impact is determined to be a neutral, minor, long-term impact.

This Chapter states the following in respect of the impact of the proposed development on vibrations:

*“Given the distance to the vibration sensitive receptors, the mitigation advice and our experience of measuring similar vibration effects it is **not predicted that construction vibration will have a negative impact on the sensitive receptors.**” [Our Emphasis.]*

This Chapter outlines that the restoration of the Proposed Development Site will have a neutral impact. No negative effects on the noise and vibration impacts are expected during the restoration phase or post restoration. The restoration will have a positive effect in terms of returning the proposed extraction area back to its existing agricultural use.

The Non-Technical Summary provided as part of the EIAR for the Section 37L Application confirms the following in relation to noise:

“With the implementation of the proposed mitigation measures, the assessment evaluates the remaining effects of noise and vibration. The conclusion is that the residual effects of construction noise from the proposed development are expected to be temporary and of negligible significance. Similarly, operational noise is also anticipated to have an imperceptible impact on noise sensitive locations (NSLs).”

As confirmed above, and within the EIARs submitted as part of the Section 177E and Section 37L Applications, the potential for noise impact has been assessed as part of the subject Application, with the requisite mitigation measures proposed, to ensure that the proposed development will not result in any negative impact on the local population.

Dust

In relation to dust, the Observation states the following:

“Respirable particles, i.e. those less than 10 micrometers in diameter, have the potential to cause effects on human health, depending on exposure levels.

Dust issues at above site will be far greater as site is hugely elevated.”

Chapter 9 of the EIAR submitted as part of the Section 37L Application dealt with Air Quality. A range of mitigation measures were outlined in this Chapter, including, but not limited to, wheel washing, dampening of roads, sweeping and cleaning of roads, covering fine materials, and traffic management. Dust deposition monitoring is proposed during the operational period to ensure these mitigation measures are operating satisfactorily and not leading to off-site dust impacts.

This Chapter concludes as follows:

“Predicted dust deposition rates, and PM10 and PM2.5 concentrations from the quarrying operations are in compliance with the ambient air quality limit values which are set for the protection of human health and the environment.”

*“With proposed mitigation measures in place it can be concluded that the proposed development will have a **long-term, localised, direct, negative and not significant effect** on air quality.” [Our Emphasis.]*

As detailed above, and in the EIARs submitted as part of the Section 177E and Section 37L Applications, the potential for impact from dust has been assessed as part of the subject Application. It has been determined that the proposed development will have a long-term, localised, direct, negative and not significant effect on air quality, with regard to the mitigation measures proposed.

2.7 Concentration of Quarries in Carlow

The Objection raises concerns regarding the number of quarries located in Co. Carlow when compared to other counties in Ireland. They also state that the Applicant should be required to submit a feasibility study for the proposed quarry.

Quarrying, by its nature, is an industry which clusters within certain geographical areas, for the simple reason that you can only quarry where the raw materials are available. Carlow is a geologically rich county, as well as being strategically located within the south-east of the country, served by a high-quality road network. The subject site seeks to quarry sandstone and shale, both of which are important raw materials for the construction sector, including in

the construction of housing. Without the adequate availability of these materials, construction costs rise, which in turn leads to an increase in the cost of housing.

We contend that there is little merit in the above argument, as quarries cannot be established everywhere, and can only be established where the required raw materials are available.

2.8 Wildlife and Plants

The Observation makes claims that the historic quarrying and proposed further quarrying has/will have destroyed wildlife habitats, wildlife, and plants.

“Foot-print of existing quarry will vastly increase, destroying wild life and wild-life habitat.”

Chapter 6 of the EIARs submitted as part of both Applications assessed potential impacts on biodiversity, prepared by Ecology Ireland.

Not only does this Chapter in the Section 37L Application confirm that there is no likelihood of significant negative residual impacts with respect of biodiversity, but that the proposed development will have a net positive impact, when mitigation measures are adopted and the site is ultimately restored:

“With the application of the identified mitigation measures there is no likelihood of significant negative residual impacts with respect to biodiversity during the construction, operational or restoration (and post-closure) stages of the proposed development. With the implementation of the biodiversity mitigation and enhancement measures it is likely that there will be net positive results for local biodiversity, particularly in the post-closure period.

The design and mitigation measures outlined in Chapter 8 (Hydrology and Hydrogeology) will be effective in minimising any risk to water quality downstream of the site. The accompanying NIS concludes that with implementation of the mitigation outlined that there is no potential for residual adverse impacts upon River Barrow and River Nore SAC or any other Natura 2000 sites in the wider hinterland.

Potential impacts on habitats and species at the site are regarded as significant positive locally in the long to permanent term as the restoration aims of the project are achieved.” [Our Emphasis.]

These extracts above, as detailed in the submitted EIAR, confirms that the proposed development will not result in any likelihood of significant negative residual impacts on biodiversity. Further to this, the EIAR confirms that the proposed development is regarded as having a positive impact on habitats and species on site, due to the proposed restoration plan.

Mitigation measures are proposed in the S37L EIAR in relation to biodiversity. Please refer to Chapter 6 of the Section 37L EIAR for full details.



2.9 Exceptional Circumstances

The Observation states the following in relation to exceptional circumstances:

"Under Substitute Consent Regulations = [Exceptional Circumstances] An Coimisiún Pleanála are prevented from granting Permission for the Substitute Consent Application. Also these same Regulations should prevent An Coimisiún Pleanála from granting Permission under Section – 37-L."

The Observer does not qualify which part of the Regulations they consider prevent An Coimisiún Pleanála from granting Substitute Consent for the subject site, instead simply reiterating their other concerns, as have been responded to in the Sections above.

Section 2.0 of the 'Planning Report' submitted as part of the Section 177E Application provided an overview of the Exceptional Circumstances which relate to the subject site and works/development for which Substitute Consent is being sought. Please refer to this Report for further details.

3.0 CONCLUSION

We trust the above has fully responded to all points raised in the Third Party Observation submitted by Mr. George Doyle in respect of Application Reg. Ref. 324015-25.

We again highlight the frivolous and vexatious nature of Mr. Doyle's claims of unauthorised development and non-compliance by the Applicant and ask that An Coimisiún Pleanála have regard to this in their assessment of the subject Application and the Third Party Observations received.

Laura Crowe

Laura Crowe
Senior Planner
Tom Phillips + Associates

Encl. Response to 3rd Party Observations from Hydro Environmental Services

Date: 5th June 2026
Our Ref: P1687-0_0050

An Coimisiún Pleanála

64 Marlborough Street,
Dublin 1,
D01 V902.

To whom it may concern,

Re: Response to Hydrology and Hydrogeology related observations made in relation to the Substitute Consent and Proposed Development at Red Rock Quarry at Clongrennane, Bilboa, Co. Carlow.

ACP Ref: 324014-25 (Substitute Consent) & 324015-25 (Proposed Development)

Hydro-Environmental Services (HES) were requested by Tom Phillips and Associates (TPA), to respond to observations made in relation to the Substitute Consent and the Proposed Development at Red Rock Quarry, Clongrennane, Bilboa, Co. Carlow.

The letter response addresses the observations relating to hydrology and hydrogeology. Responses to other observations not relating to hydrology-hydrogeology are provided separately.

1 STATEMENT OF EXPERIENCE – QUARRY WATER MANAGEMENT

Hydro-Environmental Services (HES) has extensive quarry drainage and hydrogeological experience relevant to this project. Quarry environmental impact assessment in respect of geology, hydrology, and hydrogeology has and is a core business area for HES presently and also over the past 20 years (>25 years including prior experience). Quarry drainage design/management requires experience both as a civil/drainage engineer, a hydrologist, and as a hydrogeological specialist. HES has these combined experiences and expertise. HES has worked on over 100 Quarry projects in Ireland and Northern Ireland. Many of these required assessments of existing drainage features and streams and water quality data. HES work at all stages of Quarry developments including feasibility stage, layout design & preliminary drainage design/planning stage, FRAs, and also at construction management stage.

HES's experience also covers the key area of water quality and drainage management/controls and mitigation during the construction/operational phases of Quarry developments. HES work at EIAR/planning stage to assist with the development of the optimal site layout which involves the development of hydrological constraints maps and interaction with geotechnical and ecological specialists and with site designers. HES also provide a follow-on consultancy service (if planning is granted and the development proceeds to construction) of detailed drainage/mitigation design and construction management for drainage during quarry development/construction stage. This practical on-site experience is invaluable as it has led to the development of improved preliminary and detailed drainage layouts and also many improvements/optimisations to standard quarry drainage mitigation measures.

All these experiences are particularly relevant to this project, and they have been applied through the project development phase, the constraints mapping phase, and EIAR/rEIAR preparation work, including the cumulative impact assessment. This observation response has been prepared by Michael Gill and Conor McGettigan. Michael and Conor prepared the Water Chapter of the submitted EIAR/rEIAR, and their qualifications, competencies, and experience are already presented in Section 8.1.2 of the EIAR.

2 RESPONSES TO HYDRO RELATED OBSERVATIONS

The following hydrology and hydrogeology related themes were raised in the observations:

- The Existing and Proposed Water Management systems at Red Rock Quarry, the sources of water on-site and the exiting discharge locations;
- Potential effects of blasting on groundwater;
- Potential effects on local groundwater quality;
- Potential effects on local groundwater wells;
- Potential effects on surface water quality; and,
- Potential Effects on the River Barrow and River Nore SAC (specifically the River Nore element of this designated site).

Existing Water Management System

An observation discussing the existing water management system at Red Rock Quarry raises concerns regarding the existing drainage systems. The observation appears to be unsure as to the origin of the water on the floor of the quarry and its discharge location. The observation suggests that water is being discharged to ground at Red Rock and that discharge to surface waters cannot occur due to local topography. The submitted statements represent a clear misunderstanding of the local hydrological regime.

The existing site drainage regime has been comprehensively described in Section 8.3.3.2 of the submitted EIAR and presented graphically in EIAR Figure 8-3. The drainage regime has been characterised based on detailed site walkover surveys and drainage mapping completed by HES alongside site investigations which included the drilling of 5 no. boreholes.

The existing drainage regime is summarised as follows:

- Rainwater falling within the quarry void is directed to 2 no. large, flooded areas on the floor of the quarry;
- Surface water runoff from areas upgradient (to the west) of the quarry also enters the existing void and gathers on the floor of the quarry;
- There are 2 no. outfalls from the existing quarry floor, with water exiting the quarry void through 2 no. narrow, deeply incised gullies (shown on EIAR Figure 8-3);
 - The outfall from the flooded area in the centre of the site discharges into a large settlement pond in the east of the overall landholding;
 - The outfall from the flooded area in the north of the site flows through a gully and enters a small roadside drain which is located along an existing access track;
- These outfalls combine and flow to the east before discharging into the Mortarstown Stream, a tributary of the Fushoge River which in turn discharges into the River Barrow.

The observation also states that there may be discharge within the catchment to the River Nore. The EIAR states that whilst a small area of the site is mapped in the catchment to the River Nore, there is no surface water outfall within this catchment. The only potential for water to enter the River Nore or any of its tributaries is via groundwater recharge, and lateral groundwater flow. However, the underlying bedrock at the site is classified as a Poor Aquifer – Bedrock which is Generally Unproductive. This is consistent with the results from the site investigations which encountered shale, siltstone and sandstone with only very minor water strikes/seepages. The bedrock at the site is of low permeability and groundwater recharge is limited. This is supported by the presence of flooded areas on the floor of the quarry which would not have developed if any significant recharge was occurring at this site. Groundwater recharge within the site is observed to be very limited. Nevertheless, strict, tried and tested, best practice, mitigation measures have been prescribed in the EIAR for the protection of local groundwater quality.

Proposed Water Management System

The Proposed Development does not include any discharge to surface waters within the River Nore catchment. All surface water discharges from the site ultimately transfer to the River Barrow catchment. There are no direct surface water discharges to the River Nore catchment.

The Proposed Water Management Plan is presented on Drawing No. P1687-0-1225-A2-107-00G which was included in the drawing pack which accompanied the submitted EIAR.

The drawing shows that the existing outfall in the north of the quarry will be blocked and 2 no. new settlement ponds, with baffles, will be constructed on the floor of the existing quarry. These ponds will have a combined storage volume of approximately 11,300 m³ and a design depth of 1 m. The ponds will have a combined outfall, which will flow through the existing gully, towards the existing settlement pond in the east of the landholding. A new diversion channel will be constructed to redirect flow from this settlement pond towards the Raheendoran Stream.

Therefore, there will be no discharge of untreated or unattenuated water associated with the Proposed Development. All water will be treated prior to discharge. Similar water management systems are successfully in operation at quarries across the country.

The proposed water management plan will have a positive effect in terms of redirecting flow back into the Raheendoran Stream. This water was previously directed to the Mortarstown Stream via the existing drainage system as a result of the historic quarrying activities at the site which altered the natural hydrology at the site. The effect of the historic alteration of the natural hydrological regime and the proposed diversion of flows back into the Raheendoran Stream were comprehensively assessed in the submitted rEIAR.

Potential Effects due to Blasting

A comprehensive impact assessment has been completed with respect to the potential for blasting to affect local groundwater and surface water quality. This assessment is presented in Section 8.5.2.4 of the EIAR and concludes that there will be no potential for significant effects for the following reasons:

- Blasting has been previously completed at Red Rock Quarry as part of the historic bedrock extraction and that no significant effects associated with the historic blasting have been reported;
- The quarry will implement a site-specific protocol with respect to blasting which will operate in accordance with international best practice; and,
- The practices are tried and tested mitigation measures and are currently being implemented at quarry sites across the country.

Potential Effects on Local Groundwater Quality

The submitted EIAR presents a comprehensive impact assessment with respect to groundwater quality.

There will be no potential for significant effects on local groundwater quality for the following reasons:

- The local hydrogeological regime at the site and in the local area is characterised by high rates of surface water runoff and low rates of groundwater recharge;
- The bedrock underlying the site is classified as a Poor Aquifer which is Generally Unproductive and site investigations (borehole drilling) did not encounter any significant groundwater strikes;
- Inspection of the existing quarry faces do not show any inflows of groundwater and significant inflows of groundwater would not be expected given the topographic

setting of the site at the eastern edge of the Castlecomer Plateau. It is noted that extraction will only extend to a depth of 300mOD;

- Therefore, based on the above and clearly stated in the submitted EIAR, surface water is the main sensitive receptor in terms of the water environment;
- Nevertheless, tried and tested, best practice mitigation measures have been prescribed for the protection of local groundwater quality with respect to blasting (EIAR Section 8.6.1.4), oils and fuels/hydrocarbons (EIAR Section 8.6.1.6) and wastewater (EIAR Section 8.6.1.7).

Potential Effects on Local Groundwater Well Supplies

Section 8.5.2.9 of the submitted EIAR included an assessment of the potential effects of the Proposed Development on local private groundwater well supplies. Every private dwelling in the local area was conservatively assumed to be supplied by a private groundwater well. The closest dwellings to the site were identified along local roads as follows: ~184m to the northeast of the existing quarry void, ~250m to the southeast, ~400m to the southwest and ~320m to the northwest of the proposed quarry extension area.

The impact assessment concluded that there would be no potential for effects on any local groundwater well supply for the following reasons:

- The separation distance between the Proposed Development Site and local well supplies;
- The low permeability of the bedrock underlying the Proposed Development Site means that the majority of potential groundwater recharge is rejected;
- No conduits for groundwater flow are present at the Proposed Development Site that could act as a pathway for potential contaminants;
- Groundwater flowpaths will be short with groundwater discharging into nearby surface watercourses;
- There will be no significant inflows of groundwater into the quarry void and the Proposed Development has very limited potential to alter groundwater recharge rates;
- Therefore, there will be no potential for the Proposed Development to impact groundwater levels or groundwater quantity in local well supplies;
- Nevertheless, detailed, tried and tested, best practice mitigation measures for the protection of groundwater quality are prescribed in EIAR Section 8.6.1.6 (hydrocarbons), EIAR Section 8.6.1.3 (suspended solids), EIAR Section 8.6.1.4 (blasting) and EIAR Section 8.6.1.7 (wastewater); and,
- These mitigation measures are used at similar bedrock quarries across the county and are proven to protect the hydrogeological environment.

Potential Effects on Local Surface Water Quality

The submitted EIAR presents a comprehensive impact assessment with respect to downstream surface water quality.

There will be no potential for significant effects on downstream surface water quality for the following reasons:

- There will be no discharge of untreated or unattenuated waters;
- The Proposed Development includes a water management system which will attenuate runoff and allow for the settlement of suspended solids via suitably designed and sized settlement ponds; and,
- The detailed, tried and tested, best practice mitigation measures presented in EIAR Section 8.6.1.2 (surface water flows), EIAR Section 8.6.1.3 (suspended solids), EIAR Section 8.6.1.4 (blasting), EIAR Section 8.6.1.6 (hydrocarbons) and EIAR Section 8.6.1.7

(wastewater), will ensure the protection of all watercourses in the immediate vicinity of the Proposed Development Site.

- A WFD Compliance Assessment has shown that the Proposed Development is compliant with WFD objectives and will not result in any deterioration in WFD status of any downstream surface waterbody.

Potential Effects on the River Barrow and the River Nore SAC

The submitted EIAR presents a comprehensive impact assessment with respect to the potential effects on the River Barrow and River Nore SAC.

There will be no potential for significant effects for the following reasons:

- Whilst the Proposed Development is hydrologically connected to the River Barrow and these designated sites, the Proposed Development is in excess of 2 km from the Barrow;
- The length of the hydrological flowpath between the Proposed Development Site and the SAC is >2.5 km;
- There is limited potential for effects due to the volume of water within the River Barrow in comparison to the proposed discharge volumes;
- However, the Proposed Development does not rely on the dilution or assimilative capacity of any downstream watercourse;
- Nevertheless, the Proposed Development will utilise a water management system designed to prevent contamination of local surface waters with hydrocarbons or suspended solids;
- The detailed, tried and tested, best practice mitigation measures presented in EIAR Section 8.6.1.2 (surface water flows), EIAR Section 8.6.1.3 (suspended solids), EIAR Section 8.6.1.4 (blasting), EIAR Section 8.6.1.6 (hydrocarbons) and EIAR Section 8.6.1.7 (wastewater), will ensure the protection of all watercourses in the immediate vicinity of the Proposed Development Site;
- By ensuring the protection of watercourses proximal to the site, the status of all downstream designated sites is also protected.

3 RESPONSE SUMMARY

- We have comprehensively addressed and responded to all concerns raised in the observations made by 3rd parties;
- These observations raised concerns which were previously addressed in the robust and detailed EIAR and rEIAR completed for the proposed development and the substitute consent at Red Rock Quarry, Co. Carlow;
- The EIAR included a detailed assessment of potential impacts of the proposed development on the local hydrological and hydrogeological environment including potential effects on local groundwater levels, local groundwater wells and surface water quality and downstream designated sites;
- The EIAR also included an assessment of the potential effects of blasting on local groundwater and surface water quality; and,
- A WFD Compliance Assessment has been completed for the Proposed Development and demonstrates that the Proposed Development is compliant with WFD objectives.

4 CLOSURE

We trust the above response meets your requirements. Please contact the undersigned if you have any questions regarding the above.

Yours sincerely,

A handwritten signature in dark ink, reading "Michael Gill". The signature is written in a cursive, slightly slanted style.

Michael Gill PGeo
Civil Engineer and Hydrogeologist
B.A., B.A.I., M.Sc., Dip Geol, MIEI, MCIWEM

PCL XL error

Subsystem: KERNEL

Error: IllegalTag

Operator: 0x4e

Position: 601564

